



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SM

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/664,794	09/19/00	BRADSHAW	F PM 271077

IM22/0302  
INTELLECTUAL PROPERTY GROUP  
PILLSBURY MADISON & SUTRO LLP  
NINTH FLOOR EAST TOWER  
1100 NEW YORK AVENUE N W  
WASHINGTON DC 20005-3918

EXAMINER

SELLS, J

ART UNIT

PAPER NUMBER

1734

DATE MAILED:

03/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/664,794

Applicant(s)

BRADSHAW ET AL.

Examiner

James Sells

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 36-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 36-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Reissue Applications***

1. This reissue application was filed without the required offer to surrender the original patent or, if the original is lost or inaccessible, an affidavit or declaration to that effect. The original patent, or an affidavit or declaration as to loss or inaccessibility of the original patent, must be received before this reissue application can be allowed. See 37 CFR 1.178.

2. Applicant's preliminary amendment, filed December 20, 2000, is not in proper form. In particular, newly added claims 36-48 must be underlined in their entirety. 37 CFR 1.121(b)(2)(I)(C). These claims have been treated on the merits in this office action. However, in response to this office action, applicant should resubmit these claims in proper form.

3. In reissue applications, all of the original claims (even canceled claims) are printed. Therefore applicant is requested to submit the text of canceled claims 14-15.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 1734

4. Claims 36-39 and 41-45 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Brink (US Patent 4,619,728).

Brink discloses a laminating system and apparatus. As shown in Figs. 1 and the system includes laminating rollers 2 and 3 mounted in upper frame side plates 6 and lower frame side plates 7, respectively. These rollers are heated by internal cartridge elements 15 and 16, and are movable relative to each other by screw spindle member 21 which pivots upper frame plates 6 about pivot 8 relative to lower plates 7 as shown in Fig. 3. Laminating films 4 and 5, supplied from rolls 13 and 14, are fed to laminating rollers 2 and 3 and assembled with an article 1 to be laminated. Rollers 2 and 3 are driven by central driving shaft 8 via gear wheels 9 and 10 and chains 11 and 12.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 40 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brink as described above in paragraph 4 in view of Dresser (US Patent 3,309,983).

Brink as described above does not disclose the feed tray as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of Dresser.

Art Unit: 1734

Dresser discloses a continuous laminator. As shown in Figs. 1 and 3, the laminator comprises supply rolls 30 and 36, mounted to the frame via arms 18, 20, 38 and 40 and journal portions 26, 42 and 44 with slots therein. The laminator further comprises feed tray 16 for facilitating feed of individual articles to laminating rollers 62 and 92.

Both the references of Brink and Dresser are directed to devices for laminating individual articles with films fed from supply rolls. Therefore it would have been obvious to one having ordinary skill in the art to employ a feed tray, as taught by Dresser, in the system and apparatus of Brink in order to facilitate feeding of individual articles and films to the laminating rollers.

7. Claims 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brink as described above in paragraph 4 in view of Tancredi (US Patent 4,387,000).

Brink does not disclose the steps of moving the shell portions to an open position, disposing the feed materials between the pressure applying structures, moving the shell portions to a closed position and inserting a master between the feed materials while the shell portions are in a closed position. Regarding these differences, the applicant is directed to the reference of Tancredi.

Tancredi discloses a laminating roll actuating crank system. As shown in Figs. 4-5, actuator 185 moves laminating rolls 104a and 104b via bars 168 and 172 into and out of engagement. At col. 1, line 66 through col. 2, line 14, Tancredi discloses closing the rolls when the leading edge of the first workpiece is moved therebetween and opening

Art Unit: 1734

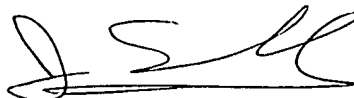
the rolls as the trailing edge of the last workpiece exits the rolls. In such a system, the rolls are not opened between individual workpieces, but are opened before the first workpiece and after the last workpiece. Thus, when feeding the second workpiece in a series of workpieces, the shell or rollers are in a closed position in the manner claimed by the applicant. Operating the rolls in such a manner reduces waste of the film material Col. 2, lines 5-6). For this reasons it would have been obvious to one having ordinary skill in the art to operate the rolls of Brink in the manner described by Tancredi.

***Telephone/Fax***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (703) 308-2090. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. The fax phone numbers for the organization where this application or proceeding is assigned are (703)305-7718 for regular communications and (703) 305-3599 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.



**JAMES SELLS  
PRIMARY EXAMINER  
TECH. CENTER 1700**